

## REMARKS

This amendment responds to the office action mailed April 29, 2004. In the office action the Examiner:

- rejects claims 1-3, 7-11, 13, 15-19 & 23-24 under 35 USC 102(e) as being anticipated by Dobbs;
- rejected claims 4-5, 12, 14, 20 & 22 under 35 USC 103(a) as being unpatentable over Dobbs in view of Koppolu et al.; and
- rejected claims 6 and 21 under 35 USC 103(a) as being unpatentable over Dobbs in view of Weinberger et al.

After entry of this amendment, the pending claims are: claims 1-24.

### Claim Rejections - 35 U.S.C. 102(e)

Claim 1, as amended, recites a method of testing a print driver in a computer system. A print driver is a computer program that translates a document from a format that is not understood by a printer to another format that is acceptable to the printer. Since there are many document formats, a print driver needs to be thoroughly tested to make sure that it translates documents from all different formats it supports to the acceptable format before being used in a computer system.

Specifically, given a print driver under test, the method first automatically generates a driver-test data structure associated with a plurality of applications and documents, the driver-test data structure including information associating the applications with their respective documents, and then processes the driver-test data structure to open the associated applications and documents and thereby test the print driver. A computer system 20 shown in Fig. 2 of the present application discloses that the driver-test data structure 72, the application programs 54 and the documents 56 are three distinct objects stored in a computer memory 38.

In one embodiment, the driver-test data structure is a spreadsheet file which includes a plurality of records, each record associating one application program with zero or more documents. A test engine 70 opens the spreadsheet file and processes the records in the file one by one. The process includes executing an application program identified by a record, selecting and opening one or more documents for the application program automatically or through a user's guidance and submitting one or more printing jobs from the application

program to the print driver under test (see, e.g., page 16, line 26 - page 17, line 9, page 18, line 28 - page 20, line 12, and Fig. 8).

In contrast, Dobbs teaches a method of determining, for a particular media type, which existing print mode of a printer's software or firmware driver will produce the highest print quality. In other words, given a print medium, e.g., a transparency, and an ink-jet print driver inherently having multiple print modes, Dobbs tries to identify a print mode most suitable for the print medium, i.e., the one that produces highest-quality prints.

In the office action, the Examiner suggests that the driver-test data structure includes at least both the test pattern and the associated icon, but then equates the test pattern to the documents. Following this logic, the documents should be a portion of the driver-test data structure. However, as discussed above, the driver-test data structure and the documents in the present application are two distinct objects, neither one being part of the other. The relationship between the driver-test data structure and the associated documents is that the former includes information linking an application program with its associated documents, but it does not include any application program or document per se.

The Examiner also equates a print control system to the associated application programs. Unfortunately, the Applicant is unable to locate any reference to "print control system" in Dobbs. There are only two terms in Dobbs that might be related to the term "control". One is a printer's "controller", which is essentially another name for "print driver" in Dobbs, and the other one is a printer's "control console", which includes a pushbutton for a user to press in order to print a test pattern using a particular printer.

It is well understood by one skilled in the art that both terms are typically characterized as system-level software programs, while the plain and ordinary meaning of the term "application programs" in the present application refers to application-level software programs (as opposed to system-level software programs, such as drivers) that use a printer to print different types of documents generated by those programs, such as a word processing program, a spreadsheet program or a drawing program.

Since Dobbs does not disclose each limitation of claim 1, claim 1 and its dependent claims 2-3 and 7-8 are not anticipated by Dobbs. Meanwhile, claims 9 and 17, as amended, are respective computer program product and computer system claims that correspond to claim 1. Therefore, claims 9 (and its dependent claims 10-11, 13 and 15-16) and 17 (and its dependent claims 18-19 and 23-24) are not anticipated by Dobbs.

Claim Rejections - 35 U.S.C. 103(a)

To reject claims in an application under 35 U.S.C. § 103, the Examiner bears the initial burden of establishing a prima facie case of obviousness. *In re Bell*, 26 USPQ2d 1529, 1530 (Fed. Cir. 1993). In order to establish prima facie obviousness, the prior art, alone or in combination, must teach or suggest each and every limitation of the rejected claims. See *In re Vaeck*, 20 USPQ2d 1438 (Fed. Cir. 1991); *In re Royka and Martin* 180 USPQ 580 (C.C.P.A. 1974); and *In re Wilson* 165 USPQ 494 (C.C.P.A. 1970). The teaching or suggestion to make the claimed invention, as well as the reasonable expectation of success, must come from the prior art, not Applicants' disclosure. *In re Vaeck, Id.*

In the Office Action, besides Dobbs, the Examiner cited two additional references, contending that the combination of Dobbs and at least one of the two references renders at least one of the claims in the present application unpatentable.

However, for the reasons explained below, neither of the two references cited by the Examiner teach or suggest a driver-test data structure that includes information associating each of a plurality of applications with respective documents. Actually, neither of them is related to the testing of a print driver. Therefore, the Applicant respectfully traverses the rejections.

Koppolu teaches a document object with a print interface operating in a server application. In particular, the document object allows a client application to control the printing of a document through the print interface, such as progress monitoring and print cancellation. But Koppolu does not teach anything related to the testing of a print driver, and the print interface is simply a tool that **extends** the printing control from the server side to the client side.

Weinberger teaches a method for incorporating additional indicia, e.g., "CONFIDENTIAL", into a document image generated by a print driver without modifying the source of the document image, e.g., a WORD format document, such that the indicia can appear in a printed copy of the document. Weinberger does not teach or suggest anything related to the testing of a print driver. In contrast, the output of the print driver, a document image, is **directly** fed into a system that implements the method of incorporation without any modification.

Since neither of the cited references salvage the deficiency of Dobbs, namely, generating a driver-test data structure with associated applications and documents, the driver-test data structure including information associating the applications with their respective documents, and processing the driver-test data structure to open the associated applications

and documents and thereby test the print driver, claims 4-6, 12, 14 and 20-22 are patentable over Dobbs in view of either Koppolu or Weinberger.

Note that Applicants have amended claims 10, 13, 18 and 21 in this amendment to further clarify the language of the claims. No new matter has been added.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining items.

Respectfully submitted,

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